

By Bill G. Carter

41 J.R. No. 47

A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the accused's
2 right of confrontation.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Article I, Section 10, of the Texas Constitution
5 is amended to read as follows:

6 Sec. 10. (a) In all criminal prosecutions the accused shall
7 have a speedy public trial by an impartial jury. He shall have the
8 right to demand the nature and cause of the accusation against him,
9 and to have a copy thereof. He shall not be compelled to give
10 evidence against himself, and shall have the right of being heard
11 by himself or counsel, or both, shall be confronted by the
12 witnesses against him and shall have compulsory process for
13 obtaining witnesses in his favor, except that when the witness
14 resides out of the State and the offense charged is a violation of
15 any of the anti-trust laws of this State, the defendant and the
16 State shall have the right to produce and have the evidence
17 admitted by deposition, under such rules and laws as the
18 Legislature may hereafter provide; and no person shall be held to
19 answer for a criminal offense, unless on an indictment of a grand
20 jury, except in cases in which the punishment is by fine or
21 imprisonment, otherwise than in the penitentiary, in cases of
22 impeachment, and in cases arising in the army or navy, or in the
23 militia, when in actual service in time of war or public danger.

24 (b) The accused's right of confrontation in this section is

1 the same right of confrontation as provided by the Sixth Amendment
2 to the Constitution of the United States, as construed by the
3 United States Supreme Court.

4 SECTION 2. This proposed amendment shall be submitted to the
5 voters at an election to be held on November 7, 1989. The ballot
6 shall be printed to provide for voting for or against the
7 proposition: "The constitutional amendment to provide that the
8 accused's right of confrontation is the same right of confrontation
9 as provided by the Sixth Amendment to the Constitution of the
10 United States."

Bill Hester

HOUSE JOINT RESOLUTION

proposing a constitutional amendment relating to the accused's right of confrontation.

JAN 30 1989

1. Filed with the Chief Clerk.

FEB 13 1989

2. Read first time and referred to Committee on

Criminal Jurisprudence3. Reported favorably (as amended)
(as substituted) and sent to Printer at _____

4. Printed and distributed at _____

5. Sent to Committee on Calendars at _____

6. Read second time (amended) and (finally) passed to Third Reading by a Record Vote of _____ yeas, _____ nays, _____ present, not voting.

7. Motion to reconsider and table the vote by which H.J.R. _____ was ordered engrossed prevailed (failed) by (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

8. Read third time (amended) and finally adopted (failed of adoption) by a Record Vote of _____ yeas, _____ nays, _____ present, not voting.

9. Caption ordered amended to conform to body of resolution.

10. Motion to reconsider and table the vote by which H.J.R. _____ was finally adopted prevailed (failed) by a (Non-Record Vote) Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

11. Ordered Engrossed at _____

12. Engrossed.

13. Returned to Chief Clerk at _____

14. Sent to the Senate.

Chief Clerk of the House

15. Received from the House

16. Read, referred to Committee on _____

17. Reported favorably

18. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

19. Ordered not printed.

20. Regular order of business suspended by

(a viva voce vote.)

(_____ yeas, _____ nays.)

21. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

22. Read second time

passed to third reading by:
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 23. Caption ordered amended to conform to body of bill.

_____ 24. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 25. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION:

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Secretary of the Senate

_____ 26. Returned to the House.

_____ 27. Received from the Senate (with amendments.)
(as substituted.)

_____ 28. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record
(Substitute) Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

_____ 29. Conference Committee Ordered.

_____ 30. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 31. Ordered Enrolled at _____